



## **Request for City Council Committee Action From the City Attorney's Office**

**Date:** August 21, 2014

**To:** Ways and Means/Budget Committee

**Referral to:**

**Subject:** Waiver of Conflict of Interest for Dorsey & Whitney LLP

**Recommendation:** That the City Council consent and waive any conflict of interest between the City of Minneapolis and Dorsey and Whitney LLP (the "Firm") arising out of the Firm's representation of Children's Health Care, the Minnesota Sports Facilities Authority and Siena Systems.

### **Previous Directives:**

Prepared by: Peter Ginder

Phone: (612) 673-2478

Approved by:

  
Susan L. Segal  
City Attorney

Presenters in Committee: Susan L. Segal, City Attorney

### **Financial Impact**

- No financial impact

### **Community**

- Neighborhood Notification
- City Goal(s)
- Comprehensive Plan
- Zoning Code
- Other

### **Background/Supporting Information**

Dorsey and Whitney LLP was placed on the City's "Conduit Bond Panel" for 2014-2016. Participation on the Conduit Bond Panel is conditioned on the Firm acting as issuer's counsel, i.e., acting as counsel for the City of Minneapolis. Although they are on the City's Conduit Bond Panel, the City also requires the Firm to notify the City of any conflicts discovered while conducting conflict reviews for representation of parties to conduit bond financing transactions.

The Firm has been asked to represent the City in connection with the issuance of Health Care Facilities Revenue Refunding Bonds (Children's Hospitals and Clinics), Series 2014, which are to be issued jointly by the City and the Housing and Redevelopment Authority of the City of St. Paul on behalf of Children's Health Care and purchased by the Northern Trust Company. The City may also retain the Firm to provide services in connection with certain civil litigation matters.

The Firm currently represents Children's Health Care, the Minnesota Sports Facilities Authority and Siena Systems on one or more matters which may be adverse to the City although they are unrelated matters. While the representations identified by Dorsey and Whitney LLP are distinct and unrelated to the instant matters, the City Attorney's Office has determined it would be appropriate to bring a conflict of interest waiver to the Council and recommends granting a waiver to the Firm in connection with the matters identified above.